

MONTANA SPECIAL EDUCATION ADVISORY PANEL B Y L A W S

ARTICLE I. NAME AND PURPOSE

SECTION A. The name of the organization shall be the MONTANA SPECIAL EDUCATION ADVISORY PANEL.

SECTION B. The functions and procedures of the Advisory Panel shall be:

- (1) Advise the State education agency of unmet needs within the State in the education of children with disabilities;
- (2) Comment publicly on the rules and regulations proposed by the State regarding the education of children with disabilities;
- (3) Advise the State education agency in developing evaluations and reporting on data to the Secretary under section 618;
- (4) Advise the State educational agency in developing corrective action plans to address findings identified in Federal monitoring reports under this part;
- (5) Advise the State educational agency in developing and implementing policies relating to the coordination of services for children with disabilities; and
- (6) Assist the State education agency by providing professional and consumer advice to the major sections of the Special Education Division through a system of ad hoc committees, as needed.
- (7) Advise the State education agency on priorities for Part B discretionary funds.

ARTICLE II. ORGANIZATION

SECTION A. The voting membership of the State Special Education Advisory Panel shall include at least one person representative of each of the following groups:

- (1) Individuals with disabilities,

- (2) Teachers,
- (3) Parents of children with disabilities,
- (4) State and local educational officials,
- (5) Administrators of programs for children with disabilities,
- (6) Institutions of higher education that prepare special education and related services personnel,
- (7) Other State agencies involved in the financing or delivery of related services to children with disabilities,
- (8) Private schools and public charter schools,
- (9) A vocational, community, or business organization concerned with the provision of transition services to children with disabilities,
- (10) The State juvenile and adult corrections agencies,
- (11) A Part C/IDEA Representative who will be chosen from a list composed of all of the following individuals: Family Support Services Advisory Council members, Part C State Agency Administrators, and Administrators of DDP Qualified Part C Child and Family Service Provider Agencies.

A majority of the members of the panel shall be individuals with disabilities or parents of children with disabilities.

SECTION B. OFFICERS

- (1) The officers of the panel shall be (3) officers, namely: Chairperson, Vice-Chairperson, and Secretary. Elections shall be held during the last meeting of the school year.

Chairperson:

The Chairperson duties shall include:

- (a) preside at all meetings,
- (b) call all meetings,

- (c) be ex-officio member of all committees,
- (d) appoint all committees at the direction of the panel; and
- (e) perform such duties as pertain to this office.

Vice-Chairperson:

The Vice-chairperson duties shall include:

- (a) conduct meetings in absence of Chairperson,
- (b) serve in ex-officio capacity upon designation by Chairperson,
- (c) perform such duties as pertain to this office; and
- (d) the Vice-chairperson shall become the Chairman of the panel the year following his/her election if he/she is reappointed as a member of the panel.

Secretary:

The Secretary duties shall include (with assistance of the State Education Agency staff):

- (a) record minutes of each meeting,
 - (b) mail copy of proceedings of each meeting to all members following meeting,
 - (c) notify members of meetings at least fourteen (14) days prior to meeting, if possible,
 - (d) perform such duties as pertain to this office; and
 - (e) make public announcement for all meetings.
- (2) Officers shall be elected once a year and cannot serve more than two consecutive years.

SECTION C. MEMBERSHIP PERPETUATION

- (1) The membership of the panel shall consist of members appointed annually by the Superintendent of the Office of Public Instruction.
- (2) Term of Membership - The Montana Special Education Advisory Panel will have membership appointed to three (3) year terms, subject to annual reappointment, staggered so that the terms of one-third of the membership will expire each year. Members who are absent from three meetings during the group's term of operation will be replaced or dropped from membership.
- (3) An appointee to the panel will be removed by the Superintendent of the Office of Public Instruction, if for some reason, he/she no longer qualified as an appointee in the category for which he/she was selected.
- (4) Resignation by any member must be in writing and submitted to the Superintendent of the Office of Public Instruction.

SECTION D. COMMITTEES

- (1) Special Ad Hoc Committees may be appointed from the membership at the direction of the panel.

ARTICLE III. FUNCTIONS AND RESPONSIBILITIES

SECTION A. The Panel makes its recommendations to the Superintendent of the Office of Public Instruction through the Special Education Division.

SECTION B. The Panel shall report at least annually to the State Education Agency. The report must include:

- (1) A description of the Panel's activities.
- (2) Recommendations formulated through identification and study of issues vital to special education in the state.
- (3) Advise the State Education Agency of unmet needs within the State in the education of children with disabilities.
- (4) A copy of the Panel minutes will be on file with the State Education Agency.

ARTICLE IV. MEETINGS

SECTION A. MEETING RULES

- (1) Providing that at least ten days notice has been given for a meeting, a quorum shall be constituted by a simple majority of the Panel membership which shall be necessary for all matters of official business.
- (2) In the absence of both of the Chairperson and Vice-chairperson, the Secretary shall preside at the meeting.
- (3) Standing Committee:
 - (a) Procedures
 - (1) All rules that apply to the general committee apply to the standing committee unless otherwise stated.
- (4) Written notice stating the place, day and hour of any meeting shall be delivered by mail to the last known address of each member.
- (5) Expenses will be paid only for voting members whose appointments have been approved by the Superintendent of the Office of Public Instruction. Each member shall be reimbursed for travel expenses and per diem consistent with state rules and regulations.

SECTION B. MEETING SCHEDULE

- (1) The Panel shall meet no less than four times per year.
- (2) The proposed meeting date and agenda shall be established as a matter of panel business.
- (3) The beginning and ending hours of the Panel meetings shall be established in the same manner as the dates.

- (4) Place of meetings shall be in Helena, Montana unless otherwise authorized by the Superintendent of the Office of Public Instruction.

SECTION C. MEETING PROCEDURE

- (1) Robert's Rules of Order will serve as the basis for regulating the Advisory Panel.
- (2) Agenda - Procedure for preparation and approval of agenda.
 - (a) A tentative agenda is prepared as the last item of business by the committee of the whole at each regularly scheduled meeting.
 - (b) The tentative agenda becomes the proposed agenda by means of modifications derived in consultation between the State Education Agency and Panel Chairperson prior to the meeting.
 - (c) Persons or organizations desiring to address the Panel may be placed on the proposed agenda by making such a request to a Panel member, Chairperson, or State Education Agency.
 - (d) The proposed agenda becomes the approved agenda by a majority vote.
 - (e) Whenever possible, support materials for the agenda should be in graphic, and/or written form and readily available to the membership. Amendments to the proposed agenda will be judged on the basis of this principle.
 - (f) Once the agenda is the approved agenda, no deviations shall be permitted without majority vote of the Panel.
- (3) Prior to any vote, the Chairperson shall direct the Secretary to determine if a quorum is present for the vote. If a quorum is present, the voting will proceed by voice vote unless a member of the Panel calls for a show of hands or roll call.
- (4) All meetings of the Panel shall be open to the public and publicly announced through the Office of Public Instruction.

ARTICLE V. **AMENDMENT OF BYLAWS**

Proposed amendments to these bylaws shall be submitted in writing to the Chairperson. Amendments to the bylaws must be approved by a two-thirds vote of members present and voting. The Advisory Panel will no less than annually review and revise if necessary, the bylaws.

ARTICLE VI. **RELATIONSHIP TO THE COUNCIL FOR COMPREHENSIVE SYSTEM
OF PERSONNEL DEVELOPMENT (CSPD COUNCIL)**

To foster effective communication and coordination of efforts between this Advisory Panel and the Council for Comprehensive System of Personnel Development, the following objectives will be implemented:

- (1) The minutes of each meeting will be provided to the chairperson of the CSPD Council.
- (2) At least two members of the Advisory Panel will also be a member of the CSPD Council and will participate in the CSPD Summer Strategic Planning Meeting.
- (3) A designated member of the CSPD Council will be given time at each Advisory Panel meeting to provide an update on CSPD Council activities. At the invitation of the CSPD Council, the designated member will provide an update on the Panel activities.
- (4) The chairperson of the Advisory Panel, in collaboration with the chairperson of the CSPD Council, may elect to form ad-hoc committees consisting of members of both groups to address mutual concerns.
- (5) In its advisory capacity, the Advisory Panel has the responsibility to advise the CSPD council on personnel preparation issues.

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